



## CITY OF LODI COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Adopt Resolution of Preliminary Approval, Resolution of Intention and Resolution Initiating Proceedings to Annex Five Territories into the Lodi Consolidated Landscape Maintenance District 2003-1 and Forming Zones 8, 9, 10, 11, and 12; Set Public Meeting for September 21, 2005; and Set Public Hearing and Deadline for Receipt of Ballots for October 5, 2005

**MEETING DATE:** August 17, 2005

**PREPARED BY:** Public Works Director

---

**RECOMMENDED ACTION:** That the City Council adopt the following resolutions regarding Vintage Oaks Zone 8, Interlake Square Zone 9, Lakeshore Properties Zone 10, Tate Property Zone 11, and Winchester Woods Zone 12, Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1:

1. Resolution of Preliminary Approval of the Engineer's Report Regarding the Proposed Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and Levy and Collection of Assessments for Fiscal Year 2006/07
2. Resolution Declaring Intention to Annex Territory into Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and to Provide for the Levy and Collection of Assessments in Such Annexation, Setting a Time and Place for Public Hearing Thereon and Ordering the Initiation of Assessment Ballot Procedures
3. Resolution Initiating Proceedings for the Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and the Levy and Collection of Assessments for Certain Zones for Fiscal Year 2006/07

**BACKGROUND INFORMATION:** As required as a condition of development, the developers of the Vintage Oaks, Interlake Square, Lakeshore Properties, Tate Property, and Winchester Woods developments have elected to annex to the Lodi Consolidated Landscape Maintenance

Assessment District No. 2003-1 for the purpose of maintaining and/or replacing certain public improvements required to be installed in conjunction with those projects. The Engineer's Report regarding the proposed annexations, prepared by NBS of Temecula and attached as Exhibit 1, presents a description of the project, defines the area, describes the improvements to be maintained and provides a cost estimate of the First Year Estimated Assessment and sets the Maximum Annual Assessment amount. The annual assessment includes costs for maintaining the improvements, utilities, replacement reserves, and administration of the district.

- Vintage Oaks Zone 8 is comprised of two parcels that are expected to subdivide subsequent to the formation of the assessment district into 17 lots.
- Interlake Square Zone 9 is comprised of a single parcel that is expected to subdivide subsequent to the formation of the assessment district into eleven lots.
- Lakeshore Properties Zone 10 is comprised of a single parcel that is expected to subdivide subsequent to the formation of the assessment district into seven lots.

---

APPROVED:

A handwritten signature in black ink, appearing to read "Blair King".

Blair King, City Manager

Adopt Resolution of Preliminary Approval, Resolution of Intention and Resolution to Initiate Proceedings to Annex Five Territories into the Lodi Consolidated Landscape Maintenance District 2003-1 and Forming Zones 8, 9, 10, 11, and 12; Set Public Meeting for September 21, 2005; and Set Public Hearing and Deadline for Receipt of Ballots for October 5, 2005  
August 17, 2005  
Page 2

- Tate Property Zone 11 is comprised of a single parcel that is expected to subdivide subsequent to the formation of the assessment district into seven lots.
- Winchester Woods Zone 12 is comprised of a single parcel that is expected to subdivide subsequent to the formation of the assessment district into eight lots.

The total number of lots in the five zones proposed to be annexed into the assessment district is 50. The proposed assessment roll for each Zone is set forth in Exhibit 1.

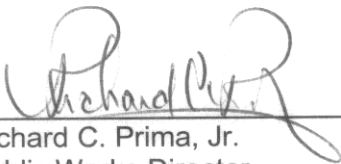
The action requested of the City Council will initiate the steps leading to annexation of the zones and preliminarily approve the Engineer's Report. Additionally, the City Council will set a public meeting for September 21, 2005, and a public hearing for October 5, 2005, to hear public testimony on the formation and proposed assessments and to finally act to form the district.

Election ballots will be distributed to the owners of record as of the date of ballot preparation. Voting is based upon acres and simple majority vote is required to form the district. None of the lots will be sold to individual homeowners prior to formation of the district on October 5, 2005.

The First Year Assessment will be added to the tax roll for Fiscal Year 2006/07 and the first revenues from the district will be received in December 2006.

**FISCAL IMPACT:** The purpose of the district is to collect funds that offset the fiscal impact of the landscape improvements.

**FUNDING AVAILABLE:** Applicant fees and reimbursement from funds collected through the assessment district

  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer  
RCP/SAW/pmf  
Attachment  
cc: D. Stephen Schwabauer, City Attorney  
Tony Goehring, Parks and Recreation Director  
George Bradley, Street Superintendent

**City of Lodi**

**Lodi Consolidated Landscape  
Maintenance District No. 2003-1**

**ZONE 8 – VINTAGE OAKS  
ZONE 9 – INTERLAKE SQUARE  
ZONE 10 – LAKESHORE PROPERTIES  
ZONE 11 – TATE PROPERTY  
ZONE 12 – WINCHESTER WOODS**

**2006/07 Preliminary Engineer's Report**

**August 2005**

*Prepared by*

**N | B | S**

Corporate Office  
41661 Enterprise Circle North, Suite 225  
Temecula, CA 92590  
(800) 676-7516 phone  
(951) 296-1998 fax

Regional Office  
870 Market Street, Suite 901  
San Francisco, CA 94102  
(800) 434-8349 phone  
(415) 391-8439 fax

**CITY OF LODI**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1**

**221 W. Pine Street**  
**Lodi, California 95240**  
**Phone - (209) 333-6706**  
**Fax - (209) 333-6807**

---

**CITY COUNCIL**

John Beckman, Mayor  
Susan Hitchcock, Mayor Pro Tem  
Larry D. Hansen, Council Member  
Bob Johnson, Council Member  
Joanne Mounce, Council Member

**CITY STAFF**

Blair King, City Manager  
Janet S. Keeter, Deputy City Manager  
Susan Blackston, City Clerk  
D. Stephen Schwabauer, City Attorney  
James Krueger, Finance Director/Treasurer  
Richard Prima, Public Works Director  
Wally Sandelin, City Engineer

**N | B | S**

Greg Davidson, Client Services Director  
Rick Clark, Project Manager  
Shirley Smith, Financial Analyst

# ***TABLE OF CONTENTS***

---

<b>1. ENGINEER'S LETTER.....</b>	<b>1-1</b>
<b>2. OVERVIEW .....</b>	<b>2-1</b>
2.1 INTRODUCTION .....	2-1
2.2 EFFECT OF PROPOSITION 218 .....	2-2
<b>3. PLANS AND SPECIFICATIONS .....</b>	<b>3-1</b>
3.1 DESCRIPTION OF FACILITIES FOR ZONE 8.....	3-1
3.2 DESCRIPTION OF FACILITIES FOR ZONE 9.....	3-1
3.3 DESCRIPTION OF FACILITIES FOR ZONE 10.....	3-2
3.4 DESCRIPTION OF FACILITIES FOR ZONE 11.....	3-2
3.5 DESCRIPTION OF FACILITIES FOR ZONE 12.....	3-2
<b>4. METHOD OF APPORTIONMENT .....</b>	<b>4-1</b>
4.1 METHOD OF APPORTIONMENT.....	4-1
4.2 LAND USE BENEFIT FACTORS .....	4-2
<b>5. ESTIMATE OF COSTS.....</b>	<b>5-1</b>
5.1 DESCRIPTION OF BUDGET ITEMS.....	5-1
5.2 DISTRICT BUDGET .....	5-2
5.3 LANDSCAPE & WALL RESERVE INFORMATION.....	5-5
<b>6. ASSESSMENT DIAGRAMS.....</b>	<b>6-1</b>
<b>7. PARCEL LISTING .....</b>	<b>7-1</b>

# 1. ENGINEER'S LETTER

**WHEREAS**, on August 17, 2005, the City Council of the City of Lodi (the "City"), State of California, directed NBS Government Finance Group, DBA NBS ("NBS") to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 (or the "District") for Fiscal Year 2006/07. The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received;

**NOW THEREFORE**, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received:

## SUMMARY OF ASSESSMENT

Description	2006/07 Assessment	Maximum Assessment	As Confirmed by Council
<b>Vintage Oaks - Zone 8 Levy</b>	\$5,029.00	\$7,084.00	
Zone 8 Equivalent Units	17	17	
Assessment Per Equivalent Unit	<b>\$ 295.82</b>	<b>\$ 416.70</b>	
<b>Interlake Square - Zone 9 Levy</b>	\$851.00	\$2,182.00	
Zone 9 Equivalent Units	11	11	
Assessment Per Equivalent Unit	<b>\$ 77.36</b>	<b>\$ 198.36</b>	
<b>Lakeshore Properties - Zone 10 Levy</b>	\$319.00	\$1,166.00	
Zone 10 Equivalent Units	7	7	
Assessment Per Equivalent Unit	<b>\$ 45.56</b>	<b>\$ 166.56</b>	
<b>Tate Property - Zone 11 Levy</b>	\$886.00	\$1,733.00	
Zone 11 Equivalent Units	7	7	
Assessment Per Equivalent Unit	<b>\$ 126.56</b>	<b>\$ 247.56</b>	
<b>Winchester Woods - Zone 12 Levy</b>	\$378.00	\$1,170.00	
Zone 12 Equivalent Units	8	8	
Assessment Per Equivalent Unit	<b>\$ 47.26</b>	<b>\$ 146.26</b>	

I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the Engineer's Report, Assessments, and the Assessment Diagram herein have been prepared and computed in accordance with the order of the City Council of the City of Lodi.

\_\_\_\_\_  
**Wally Sandelin, P.E., Engineer of Work**

Date: \_\_\_\_\_

\_\_\_\_\_  
Seal

## **2. OVERVIEW**

### **2.1 Introduction**

---

The City of Lodi ("City") proposes to levy special benefit assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 ("District") for Fiscal Year 2006/07. The City currently has consolidated seven landscape maintenance districts into a single district, the "Lodi Consolidated Landscape Maintenance District No. 2003-1". In response to the provisions of the California Constitution Article XIII C and XIII D (Proposition 218), in 2003 a separate Engineer's Report was prepared for each of the first two Zones (Zones 1 and 2) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for the assessments in Fiscal Year 2004/05. After approval of the assessment by the property owners, the City began to levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. In 2004 a separate Engineer's Report was prepared for each of the next five Zones (Zones 3 thru 7) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for Zones 3 and 4 for the assessments in Fiscal Year 2004/05 and the City conducted property owner balloting proceedings for Zones 5 through 7 for the assessments in Fiscal Year 2005/06. After approval of the assessment by the property owners, the City will levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. The District is levied pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the Act), and in compliance with the substantive and procedural requirements of the California Constitution Article XIII D.

This Engineer's Report ("Report") describes the District and assessments to be levied against properties within the District for Fiscal Year 2006/07. The assessments described herein are based on the estimated cost to operate, service and maintain improvements that will provide a direct and special benefit to properties within the District. All improvements to be operated, serviced and maintained through annual assessments were constructed and installed in connection with the development or for the benefit of these properties. The annual costs and assessments described herein include all estimated direct expenditures, incidental expenses, deficits, surpluses, revenues, and reserves associated with the maintenance and servicing of the improvements.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the County of San Joaquin Assessor's Office. The County of San Joaquin Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

At a noticed Public Hearing, the City Council considered all public comments and written protests presented. Upon conclusion of the Public Hearing, the City Council determined that no valid protest existed. By resolution, the City Council approved the Engineer's Report as submitted or amended (amendments may not increase the assessments approved by the property owners). Following approval of the Report, the City Council, by resolution, confirmed the assessments and ordered the levy and collection of assessments pursuant to the Act. The assessments as approved will be submitted to the San Joaquin County Auditor/Controller to be included on the property tax roll for each parcel for Fiscal Year 2006/07.

## **2.2    *Effect of Proposition 218***

---

On November 5, 1996, California voters approved proposition 218 by a margin of 56.5% to 43.5%. The provisions of the Proposition, now California Articles XIIC and XIID, add substantive and procedural requirements to assessments, which affect the City of Lodi landscape maintenance assessments.

The proposed assessments for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2006/07 are not proposed to increase over the annual rate escalation factor of the annual San Francisco Bay Area C.P.I. or 5%, which ever is greater, which was approved by property owners following the assessment balloting procedures set forth in Section 4 SEC. 4 of the Proposition.



### **3. PLANS AND SPECIFICATIONS**

#### **3.1 Description of Facilities for Zone 8**

---

Zone 8 is comprised of the Vintage Oaks subdivision and the adjacent parcel to the north (APN 058-230-05); the facilities within Zone 8 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A masonry wall and 13.5' irrigated landscaping strip, including a 4-foot wide sidewalk, extending north and south of the future Vintage Oaks Court along the east side of S. Lower Sacramento Road for a total distance of approximately 252 linear feet.
- B. A 9.5' irrigated landscape strip in the east half of the lower Sacramento Road median, west of the District Zone 8 boundary.
- C. Street parkway trees located within the public street (Vintage Oaks Court) within the District Zone 8 boundary.
- D. Public park land area of 0.15895 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 8 consists of a 15-lot low-density residential development (Vintage Oaks) and a 2-lot low-density residential development (APN 058-230-05) bounded by DeBenedetti Park (APN 058-230-05) to the North, the Sunnyside Estates development to the South, Ellerth E. Larson Elementary School to the East and Lower Sacramento Road to the West. Each lot benefits equally from the facilities within Zone 8. Zone 8, when developed, will include 17 Dwelling Unit Equivalents (DUE).

#### **3.2 Description of Facilities for Zone 9**

---

Zone 9 is comprised of the Interlake Square subdivision; the facilities within Zone 9 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Street parkway trees located within the public rights-of-way of School Street and Park Street within the Zone 9 boundary.
- B. Public park land area of 0.10285 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 9 consists of an 11-lot low-density residential development (Interlake Square) located north of Park Street, generally south of Sierra Vista Place, east of South School Street and generally west of Sacramento Street. Each lot benefits equally from the facilities within Zone 9. Zone 9, when subdivided, will include 11 Dwelling Unit Equivalents (DUE).

### **3.3 Description of Facilities for Zone 10**

---

Zone 10 is comprised of the Lakeshore Properties subdivision; the facilities within Zone 10 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Public park land area of 0.06545 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 10 consists of a 7-lot low-density residential development (Lakeshore Properties) located on the southwest corner of the Lakeshore Drive/Tienda Drive intersection within the City of Lodi. Each lot benefits equally from the facilities within Zone 10. Zone 10, when subdivided, will consist of 7 Dwelling Unit Equivalents (DUE).

### **3.4 Description of Facilities for Zone 11**

---

Zone 11 is comprised of the Tate Property development; the facilities within Zone 11 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A masonry wall and 13.5' irrigated landscaping strip, including a 4-foot wide sidewalk, along the north side of Harney Lane, immediately east of Legacy Way, approximately 140 feet in length.
- B. Street parkway trees located within the public street (Legacy Way) within the District Zone 11 boundary.
- C. Public park land area of 0.06545 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 11 consists of a 7-lot low-density residential development located in the northeast corner of the Harney Lane/Legacy Way intersection within the City of Lodi. Each lot will benefit equally from the facilities within Zone 11. Zone 11, when subdivided, will consist of 7 Dwelling Unit Equivalents (DUE).

### **3.5 Description of Facilities for Zone 12**

---

Zone 12 is comprised of the Winchester Woods subdivision; the facilities within Zone 12 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Public park land area of 0.0612 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 12 consists of an 8-lot medium-density residential development located generally south of Wimbledon Drive, east of The Oaks apartment complex (APN 060-220-29) and west of Winchester Drive in the southeasterly portion of the City of Lodi. Each lot will benefit equally from the facilities within Zone 12. Zone 12, when subdivided, will consist of 8 Dwelling Unit Equivalents (DUE)

***During the installation period for each Zone within the Lodi Consolidated Landscape Maintenance District No. 2003-1, the installer of the improvements will maintain the new improvements until the following June 30, or such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.***

## **4. METHOD OF APPORTIONMENT**

### **4.1 Method of Apportionment**

---

Pursuant to the 1972 Act the costs (assessments) of the District are apportioned by a formula or method that fairly distributes the net amount to be assessed among all parcels in proportion to benefits received from the improvements. The provisions of Article XIIC and XIID of the California Constitution (Proposition 218) require the agency to separate the general benefit from special benefit, whereas only special benefits may be assessed.

#### **IMPROVEMENT BENEFIT FINDINGS**

The annual assessments outlined in the Budget section of this Report are proposed to cover the estimated costs to provide all necessary service, operation, administration and maintenance within the District, by Zone. It has been determined that each assessable parcel within the District receives proportional special benefits from the improvements. All improvements to be maintained and funded through annual assessments were constructed and installed in connection with the development of properties within the District, and each parcel's close and relatively similar proximity to the improvements makes each parcel's special benefit from the improvements similar and proportionate. All the lots and parcels that receive special benefit from the improvements are included within the District.

#### **SPECIAL BENEFITS**

The method of apportionment (method of assessment) is based on the premise that each of the assessed parcels within the District receives special benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with each Zone are outlined, by Zone, in Section 3 of this Report.

#### **DESCRIPTION OF THE METHOD OF APPORTIONMENT**

The District provides operation, service and maintenance to all the specific local improvements and associated appurtenances located within the public right-of-ways in each of the various Zones throughout the District. The annual assessments are based on the historical and estimated cost to operate, to service and to maintain the improvements that provide a special benefit to properties within the District and Zones. The various improvements within each Zone are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues, and reserves.

The assessments outlined in this section represent the proportionate special benefit to each property within the District and the basis of calculating each parcel's proportionate share of the annual costs associated with the District/Zone improvements. The costs associated with the maintenance and operation of special benefit improvements shall be collected through annual assessments from each parcel receiving such benefit. The funds collected shall be dispersed and used for only the services and operation provided to the District.

The basis of determining each parcel's special benefit utilizes a weighting formula commonly known as a Dwelling Unit Equivalent Factor (dueF). The developed single-family residential parcel is used as the base unit for calculation of assessments and is defined as one (1.00) dueF. All other property types are assigned a dueF that reflects their proportional special benefit from the improvements as compared to the single-family residential parcel (weighted comparison).

To determine the dueF for commercial/office parcels, and multiple-residential (greater than 3 units) parcels, a Benefit Unit Factor (BUF) is assigned to each property type. This BUF multiplied by the parcel's specific acreage determines the parcel's specific dueF. For those commercial/office parcels that are less than 7.5 acres, the corresponding BUF is multiplied by a minimum acreage of 7.5 acres. For those non-residential parcels that are greater than 15.00 acres the corresponding BUF is multiplied by a maximum of 15.00 acres. The following table provides a listing of the various land use types and the corresponding BUF used to calculate a parcel's EDU and proportionate benefit:

## 4.2 Land Use Benefit Factors

PROPERTY TYPE LAND USE	ASSIGNED BENEFIT UNIT FACTOR
Single Family Residential	1.00 per Unit
Multiple Family Residential (duplex)	2.00 per Unit
Multiple Family Residential (greater than 3 units)	5.00 per Acre
Commercial/Office	
For the First 7.5 Acres	5.00 per Acre
For the Next 7.5 Acres	2.50 per Acre
For All Acreage Over 15 Acres	1.25 per Acre
Exempt	0.00
Other Uses	The dueF Will Be Established As Required

**Exempt** – Certain parcels, by reason of use, size, shape or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for those parcels for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

**Area Adjustments** – Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

As noted previously, the District is divided into Zones. These Zones encompass specific developments where the properties receive a direct and special benefit from the operation, service and maintenance of those improvements. The basis of benefit and proportionate assessment for all properties within the District is established by each parcel's calculated dueF and their proportionate share of the improvement costs based on their proportionate dueF within the Zone. The method used to calculate the assessments for each Zone is as follows:

$$\text{Total Balance to Levy} / \text{Total dueF} = \text{Levy per dueF (Levy Rate)}$$

$$\text{Parcel's dueF} \times \text{Levy per dueF (Levy Rate)} = \text{Parcel Levy Amount}$$

## ASSESSMENT RANGE FORMULA

Any new or increase in assessments require certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Brown Act defined the definition of “new or increased assessment” to exclude certain conditions. These conditions included “any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed.” This definition and conditions were later confirmed through SB919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District’s proposed assessment for Fiscal Year 2003/04 and Fiscal Year 2004/05, balloting of property owners was required, pursuant to Proposition 218. The property owner ballots included an assessment to be approved, as well as the approval of an assessment range formula. Property owners within the District approved the proposed assessment and the assessment range formula.

The assessment range formula shall be applied to all future assessments within the District. Generally, if the proposed annual assessment (levy per unit or rate) for the current fiscal year is less than or equal to the “Maximum Assessment” (or “Adjusted Maximum Assessment”), then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

1. Beginning in the second fiscal year (Fiscal Year 2007/08) and each fiscal year thereafter, the Maximum Assessment will be recalculated annually.
2. The new adjusted Maximum Assessment for the year represents the prior year’s Maximum Assessment adjusted by the greater of:
  - (a) Five percent (5.0%); or,
  - (b) The annual increase in the Consumer Price Index (CPI).

Each year the annual increase in the CPI shall be computed. The increase in CPI is the percentage difference between the CPI of December of any given year and the CPI for the previous December as provided and established by the Bureau of Labor Statistics (example: Fiscal Year 2005/06 CPI increase is 2.2% over December 2004). This percentage difference (annual difference) shall then establish the allowed increase based on CPI. The Consumer Price Index used shall be based on the CPI established by the Bureau of Labor Statistics for all urban consumers for the San Francisco-Oakland-San Jose Area. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

If CPI is less than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is five percent. If CPI is greater than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is based on CPI. The Maximum Assessment is adjusted annually and is calculated independent of the District’s annual budget and proposed annual assessment. Any proposed annual assessment (rate per levy unit) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

The following table illustrates how the assessment range formula shall be applied. For example, if the percentage change in CPI is greater than five percent (5.0%), as in Example 1, then the percentage adjustment to the Maximum Assessment will be by CPI. If the percentage change in CPI is less than five percent (5.0%), as in Example 2, then the percentage adjustment to the Maximum Assessment will be five percent (5.0%).

### Examples of Percentage Increases

Example	CPI Calculated Percentage Increase	Standard 5% Increase	Maximum % Increase Without Re- Balloting	Prior Years Maximum Rate Per dueF	Allowed Adjustment Per dueF	Allowed New Maximum Rate Per dueF
1	5.25%	5.00%	5.25%	\$347.00	18.22	\$365.22
2	2.20%	5.00%	5.00%	\$347.00	17.35	\$364.35

As previously illustrated, the Maximum Assessment will be recalculated and adjusted annually. However, the City Council may reduce or freeze the Maximum Assessment at any time by amending the Engineer's Annual Report.

Although the Maximum Assessment will normally increase each year, the actual District assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on District assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment, nor does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year does not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment then the assessment is considered an increased assessment. To impose an increased assessment the City Council must comply with the provisions of Proposition 218 (Article XIID Section 4c of the California Constitution). Proposition 218 requires a Public Hearing and certain protest procedures including mailed notice of the Public Hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for the District. If the proposed assessment is not approved, the City Council may not levy an assessment greater than the adjusted Maximum Assessment previously established for the District.

## **5. ESTIMATE OF COSTS**

### **5.1 Description of Budget Items**

---

The following items make up the Estimate of Costs used in determining the Annual Assessments of the District. The specific Zones within the District are shown in Section 3 of this Report. Definitions of maintenance items, words and phrases are shown below:

*Fiscal Year* – One year period of time beginning July 1<sup>st</sup> of a given year and ending June 30<sup>th</sup> of the following year.

*Landscape Maintenance Labor* – The estimated cost of labor necessary for maintaining and servicing the trees, shrubs, turf and ground cover areas within the District.

*Maintenance Materials & Supplies* – The estimated cost of materials necessary for maintaining, cleaning and servicing the landscaped areas and parklands within the District.

*Irrigation Water* – The cost of water used for irrigating the landscaping improvements of the District.

*Utilities* – The cost of electricity used for irrigation within the District.

*Equipment Maintenance & Operation* – The cost of materials and labor necessary for maintaining, repairing, and operating equipment (includes vehicles, benches, playground equipment, graffiti and litter removal, etc.) used for all aspects of maintenance in the District.

*Maintenance Personnel* – The estimated cost for District personnel to perform maintenance duties within the District.

*Contract Maintenance* – The estimated cost to perform contracted maintenance duties within the District.

*Consultants* – Costs associated with outside consultant fees in order to comply with Assessment Law and placement of assessment onto the San Joaquin County Tax Roll each year.

*County Administration* – Costs of the County of San Joaquin related to the placement of assessments on the tax roll each year.

*Insurance* – The estimated costs to provide insurance for District personnel and staff.

*Reserves/Contingencies* – An amount of 50% of the maintenance costs may be included to build a Reserve and Contingency Fund. The Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500, allows the District assessments to "...include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the city expects to receive its apportionment of special assessments and tax collections from the county, whichever is later."

*Total Parcels* – Represents the total number of parcels physically within the District/Zone boundaries.

*Total Dwelling Unit Equivalent Factor* – Dwelling Unit Equivalent Factor (dueF) is a numeric value calculated for each parcel based on the parcel's land use. The dueF shown in the District/Zone budget represents the sum total of all parcel dueF's that receive benefit from the improvements. Refer to Section III for a more complete description of dueF's.

*Levy per dueF* – This amount represents the rate being applied to each parcel's individual dueF. The Levy per Dwelling Unit Equivalent Factor, is the result of dividing the total Balance to Levy, by the sum of the District dueF's, for the fiscal year. This amount is always rounded down to the nearest even penny for tax bill purposes.



## 5.2 District Budget

### Zone 8 – Vintage Oaks Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$1,368.00	\$1,368.00
MASONRY BLOCK WALLS:	300.00	300.00
STREET TREES:	468.00	468.00
PARK MAINTENANCE:	1,869.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>1,454.00</u>	<u>1,268.00</u>
<b>BUDGET TOTAL</b>	<b>\$5,459.00</b>	<b>\$3,404.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>1,625.00</u></b>	<b><u>1,625.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$7,084.00</b>	<b>\$5,029.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### Zone 9 – Interlake Square

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	244.00	244.00
PARK MAINTENANCE:	1,210.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>728.00</u>	<u>607.00</u>
<b>BUDGET TOTAL</b>	<b>\$2,182.00</b>	<b>\$ 851.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$2,182.00</b>	<b>\$ 851.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### Zone 10 – Lakeshore Properties Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	0.00	0.00
PARK MAINTENANCE:	770.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>396.00</u>	<u>319.00</u>
<b>BUDGET TOTAL</b>	<b>\$1,166.00</b>	<b>\$ 319.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$1,166.00</b>	<b>\$ 319.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### Zone 11 – Tate Property Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$186.00	\$186.00
MASONRY BLOCK WALLS:	23.00	23.00
STREET TREES:	102.00	102.00
PARK MAINTENANCE:	770.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>515.00</u>	<u>438.00</u>
<b>BUDGET TOTAL</b>	<b>\$1,596.00</b>	<b>\$ 749.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>137.00</u></b>	<b><u>137.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$1,733.00</b>	<b>\$ 886.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### Zone 12 – Winchester Woods Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	0.00	0.00
PARK MAINTENANCE:	720.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>450.00</u>	<u>378.00</u>
<b>BUDGET TOTAL</b>	<b>\$1,170.00</b>	<b>\$ 378.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$1,170.00</b>	<b>\$ 378.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### Total District Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: <sup>(1)</sup>	\$1,554.00	\$1,554.00
MASONRY BLOCK WALLS:	323.00	323.00
STREET TREES:	814.00	814.00
PARK MAINTENANCE:	5,339.00	0.00
ADMINISTRATION COSTS: <sup>(2)</sup>	<u>3,543.00</u>	<u>3,010.00</u>
<b>BUDGET TOTAL</b>	<b>\$11,573.00</b>	<b>\$5,701.00</b>
<b>CONTRIBUTION FROM RESERVES:</b>	<b>(0.00)</b>	<b>(0.00)</b>
<b>CONTRIBUTION TO RESERVES: <sup>(3)</sup></b>	<b><u>1,762.00</u></b>	<b><u>1,762.00</u></b>
<b>BALANCE TO LEVY:</b>	<b>\$13,335.00</b>	<b>\$7,463.00</b>

<sup>(1)</sup> Includes landscape maintenance, repair, replacement, water and electricity costs.

<sup>(2)</sup> Includes Consultants, City & County administration, publication costs and contingency.

<sup>(3)</sup> Includes landscape and masonry wall replacement costs.

### ***5.3 Landscape & Wall Reserve Information***

---

#### ***Zone 8 Landscape & Wall Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	990.00
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 990.00</b>
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	635.00
<b>WALL RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 635.00</b>
<b>TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007</b>	<b>\$1,625.00</b>

#### ***Zone 9 Landscape Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.000
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 0.00</b>

#### ***Zone 10 Landscape Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.00
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 0.00</b>

#### ***Zone 11 Landscape & Wall Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	39.00
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 39.00</b>
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	\$98.00
<b>WALL RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 98.00</b>
<b>TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 137.00</b>

***Zone 12 Landscape Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.00
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 0.00</b>

***Total District Landscape & Wall Reserve Information***

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	1,029.00
<b>LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$1,029.00</b>
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	733.00
<b>WALL RESERVE ENDING BALANCE – JUNE 30, 2007</b>	<b>\$ 733.00</b>
<b>TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007</b>	<b>\$1,762.00</b>

## **6. ASSESSMENT DIAGRAMS**

Assessment Diagrams for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 have been submitted to the City Clerk in the format required under the provisions of the Act and, by reference, are made part of this Report. The lines and dimensions shown on maps of the County Assessor of the County of San Joaquin, Assessors parcel maps for the current year, are shown as follow:

## 7. PARCEL LISTING

The parcel listing of assessments is provided on the following pages by Zone. The description of each lot or parcel as part of the records of the County Assessor of the County of San Joaquin are, by reference, made part of this Report.

ZONE	APN	ASSESSMENT PER dueF	PARCEL dueF	FISCAL YEAR 2006/07 ASSESSMENT
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-05	\$295.82	1	\$295.82
8	por. of 058-230-05	\$295.82	1	\$295.82
			<b>17</b>	<b>\$5,028.94</b>
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
			<b>11</b>	<b>\$850.96</b>
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
			<b>7</b>	<b>\$318.92</b>

ZONE	APN	ASSESSMENT PER dueF	PARCEL dueF	FISCAL YEAR 2006/07 ASSESSMENT
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
			<b>7</b>	<b>\$885.92</b>
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
			<b>8</b>	<b>\$377.92</b>
<b>TOTAL:</b>	<b>PARCELS</b>		<b>50</b>	<b>\$7,462.66</b>



THIS MAP FOR  
ASSESSMENT USE ONLY

058-23

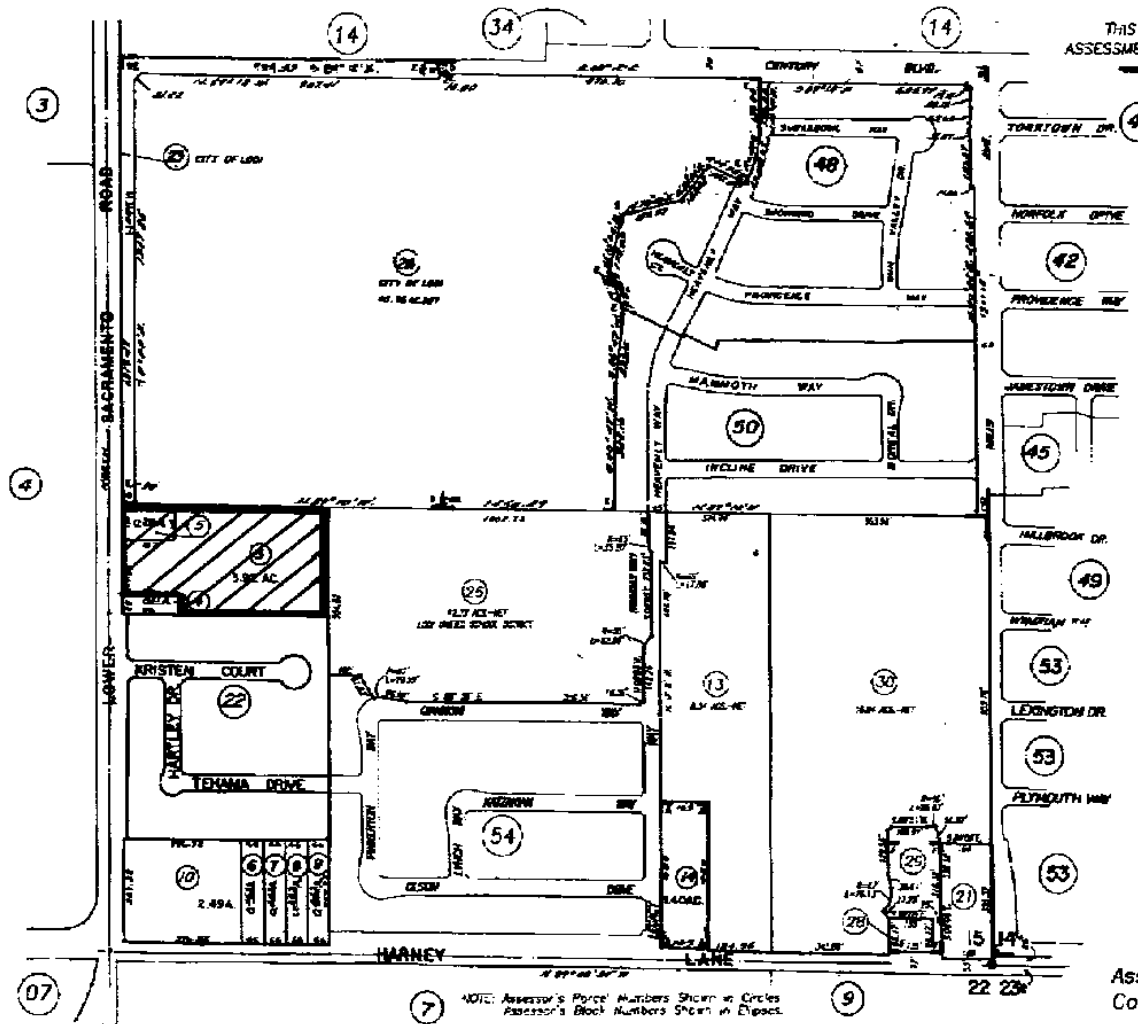


POR. SEC. 15,  
T.3N.R.6E. M.D.B.& M.

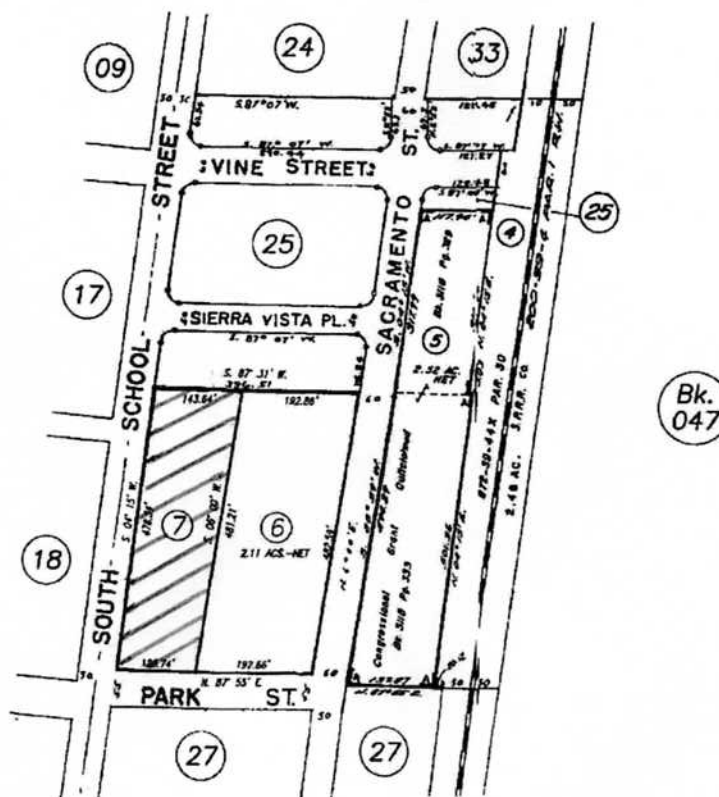
A - P. M. 28. 27 Pg. 053  
B - P. S. 28. 29 Pg. 705  
C - R. S. 28. 32 Pg. 613  
D - P. M. 28. 21 Pg. 147  
E - P. M. 28. 22 Pg. 205  
F - P. M. 28. 22 Pg. 182

HIGHES™ & F.N. USED			
YEAR	PAGE #	PAGE #	PAGE #
84-85	17		
86-87	20		
87-88	24		
88-89	26		
89-90	29		
90-91	30		

CITY OF LODI  
Assessor's Map Bk.058 Pg.23  
County of San Joaquin, Calif.



045-26



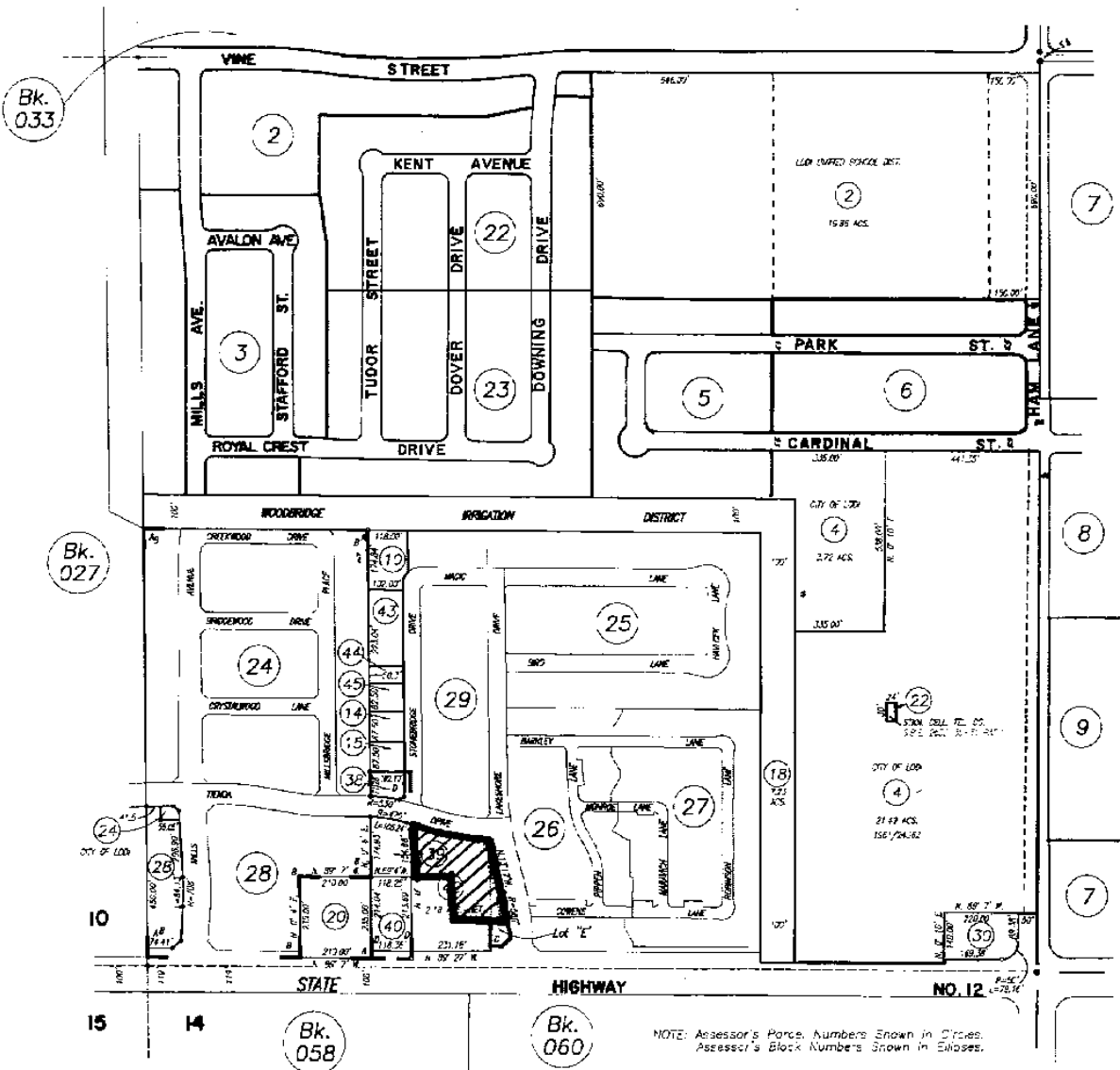
City of Lodi, Community Development Department, Received 04/20/2005

[illegible]

NOTE: Assessor's Parcel Numbers Shown in Circles.  
Assessor's Block Numbers Shown in Ellipses.

CITY OF LODI  
Assessor's Map Bk.045 Pg.26  
County of San Joaquin, Calif.

**CITY OF LODI**  
**LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT**  
**DISTRICT NO. 2003-1**  
**ZONE 10 - LAKESHORE PROPERTIES**



THIS MAP IS FOR  
ASSESSMENT USE ONLY

031-04



POR. S.W. 1/4 SEC. 11  
T.3N. R.6E., M.D.B.&M.  
POR. TIENDA PLACE  
UNIT NO. 1

A - P. M. Bk. 07 Pg. 125  
B - P. M. Bk. 20 Pg. 172  
C - R. M. Bk. 38 Pg. 060  
D - P. M. Bk. 22 Pg. 110

HIGHEST A.P.N. USED				
YEAR	PAR. #	PAR. #	PAR. #	PAR. #
85-86	18			
86-87	25			
87-88	22			
88-89	24			
89-90	26			
90-91	30			
91-92	34			
92-93	42			
93-94	42			
94-95	45			

CITY OF LODI  
Assessor's Map Bk.031 Pg.04  
County of San Joaquin, Calif.

**CITY OF LODI  
TED LANDSCAPE MAINTENANCE ASSESSMENT  
DISTRICT NO. 2003-1  
ZONE 11 – TATE PROPERTY**

THIS MAP FOR  
ASSESSMENT USE ONLY

058-23

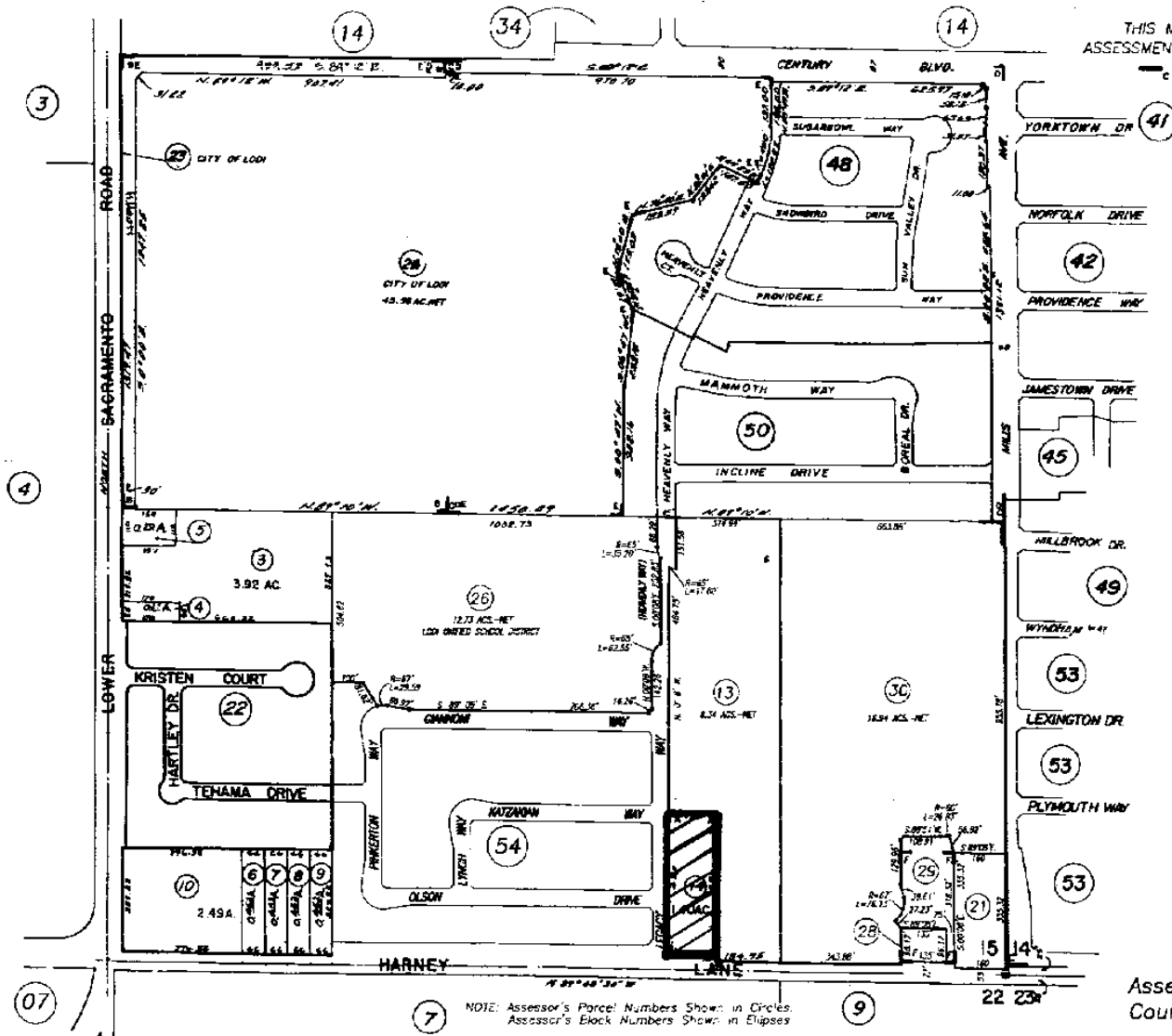


POR. SEC. 15,  
T.3N.R.6E. M.D.B.& M.

A - P. M. Bk. 67 Pg. 053  
B - R. S. Bk. 28 Pg. 105  
C - R. S. Bk. 32 Pg. 019  
D - P. M. Bk. 21 Pg. 147  
E - P. M. Bk. 22 Pg. 065  
F - P. M. Bk. 27 Pg. 182

HIGHEST A.P.N. USED			
YEAR	FAR. #	PAR. #	PAR. #
84-85	17		
00-01	20		
02-03	24		
03-04	26		
04-05	28		
05-06	30		

CITY OF LODI  
Assessor's Map Bk.058 Pg.23  
County of San Joaquin, Calif.



## ZONE 12 – WINCHESTER WOODS



RESOLUTION NO. 2005-166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI,  
CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S  
REPORT REGARDING THE PROPOSED ANNEXATION OF  
TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE  
MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1 AND LEVY AND  
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2006-07

=====

The City Council of the City of Lodi (hereafter referred to as the "City Council")  
does resolve as follows:

WHEREAS, the City Council pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (hereafter referred to as the "Act") did by Resolution No. 2005-168 order the preparation of an Engineer's Report (hereafter referred to as the "Report") for the proposed annexation of certain territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1. The proposed annexation of territory shall be known and designated as:

ZONE 8 – VINTAGE OAKS

ZONE 9 – INTERLAKE SQUARE

ZONE 10 – LAKESHORE PROPERTIES

ZONE 11 – TATE PROPERTY

ZONE 12 – WINCHESTER WOODS

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 2, Article 1, Section 22586* of said Act; and

WHEREAS, the City has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the proposed annexation, each and all of the budget items and documents as set forth therein, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefit received from the improvements, operation, maintenance, and services to be performed within the District, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY  
THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

SECTION 1. That the above recitals are true and correct.

SECTION 2. That the "Report" as presented, consisting of the following:

- A. Description of Improvements.
- B. The Annual Budget (Costs and Expenses of Services, Operations, and Maintenance)
- C. The District Roll containing the fiscal year 2006-07 levy for each Assessor Parcel within the District.

is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

Dated: August 17, 2005

=====

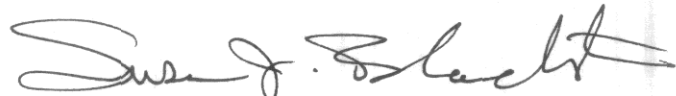
I hereby certify that Resolution No. 2005-166 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,  
and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

RESOLUTION NO. 2005-167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, COUNTY OF SAN JOAQUIN, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES

=====

WHEREAS, the City Council of the City of Lodi, pursuant to the terms of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "1972 Act")*, *Article XIID of the Constitution of the State of California ("Article XIID")* and the *Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act")* (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"), did, by Resolution No. 2005-168, initiate proceedings to annex certain territory into a special assessment district and ordered the preparation of an Engineer's Report for the levy of assessments within such proposed annexation, such special assessment district annexation known and designated as the "Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1" (the "District"). The areas proposed to be annexed will become Zones within the District. Such Zones shall be known and designated as:

ZONE 8 – VINTAGE OAKS

ZONE 9 – INTERLAKE SQUARE

ZONE 10 – LAKESHORE PROPERTIES

ZONE 11 – TATE PROPERTY

ZONE 12 – WINCHESTER WOODS

WHEREAS, at this time the City Council desires to declare its intention to annex such territory into the District and to provide for the levy of assessments for the next ensuing fiscal year to provide for the costs and expenses necessary to pay for the maintenance of the *Improvements (defined below)* in such District; and

WHEREAS, there has been presented and preliminarily approved by this City Council the Engineer's Report, as required by the Assessment Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1 Recitals: The above recitals are all true and correct.

SECTION 2 Declaration of Intention: The public interest and convenience requires, and it is the intention of the City Council, to order the annexation of the above described territory into the District and to levy and collect assessments to pay the annual costs and expenses for the maintenance and/or servicing of all of the Improvements for the District. Such Improvements and the maintenance and servicing of such Improvements are generally described as:

The improvements include: masonry walls, ground cover, shrubs, plants and trees, irrigation systems, insect/disease control, graffiti removal, and associated appurtenant facilities.



The maintenance of the Improvements shall include the furnishing of services and materials for all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.

**SECTION 3 Boundaries of District:** The Improvements are of special benefit to the properties within the boundaries of the District. The City Council previously declared the boundaries to encompass the area specially benefited by such Improvements, and for particulars, reference is made to the assessment diagram as previously approved by the City Council, a copy of which is on file in the Office of the City Clerk and open for public inspection, and is designated by the name of this District.

**SECTION 4 Report of Assessment Engineer:** The Engineer's Report, as preliminarily approved by the City Council is on file with the City Clerk and open for public inspection. Reference is made to such Report for a full and detailed description of the Improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

**SECTION 5 Public Meeting and Public Hearing:** Notice is hereby given that a Public Meeting is hereby scheduled to be held at 305 West Pine Street, Lodi, California, on September 21, 2005, at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons.

Notice is hereby given that a Public Hearing is hereby scheduled to be held at 305 West Pine Street, Lodi, California, on October 5, 2005, at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons. The City Council shall, at the conclusion of the Public Hearing, also determine whether assessment ballots submitted pursuant to the Assessment Law in opposition to the proposed assessments within the District exceed assessment ballots submitted in favor of such proposed assessments.

#### **RIGHT TO SUBMIT ASSESSMENT BALLOT**

Pursuant to the provisions of the Assessment Law, each record owner of property proposed to be assessed has the right to submit an assessment ballot in favor of or in opposition to the proposed assessment.

Assessment ballots will be mailed to the record owner of each parcel located within the District and subject to a proposed assessment. Each such owner may complete such assessment ballot and thereby indicate their support for or opposition to the proposed assessment. All such assessment ballots may be delivered by mail or personal delivery to the City Clerk at the following address at or before 5:00 p.m. on October 5, 2005:

City Clerk  
City of Lodi  
221 West Pine Street  
Lodi, California 95240

After 5:00 p.m. on October 5, 2005, assessment ballots may be delivered to the City Clerk only at the location of the Public Hearing given above (305 W. Pine Street, Lodi, CA).

All assessment ballots must be received by the City Clerk prior to the time that the Public Hearing is closed. An assessment ballot which is delivered by mail with a postmark, which is prior to the date and time of the Public Hearing but which is not received by the City Clerk until after the Public Hearing is closed, will not be counted.

At the conclusion of the Public Hearing, the City Council shall cause the assessment ballots timely received to be tabulated. If a majority protest exists, the City Council shall not impose an assessment within the District. A majority protest exists if, upon the conclusion of the Public Hearing, assessment ballots submitted in opposition to the assessments within the District exceed the assessment ballots submitted in favor of such assessments. In tabulating the assessment ballots, the assessment ballots shall be weighted according to the proportional financial obligation of the affected property.

**SECTION 6 Notice:** The City Clerk is hereby directed to mail notice pursuant to the Assessment Law of the Public Hearing and assessment ballot proceedings and the adoption of the Resolution of Intention and of the filing of the Assessment Engineer's Report, together with the assessment ballot materials, to the record owners of all real property proposed to be assessed.

**SECTION 7 Proceedings Inquiries:** The following staff person is designated to respond to all inquiries for any and all information relating to the proposed District and these proceedings, including the assessment ballot procedure:

RICK CLARK  
NBS  
41661 ENTERPRISE CIRCLE N. #225  
TEMECULA, CA 92590  
TELEPHONE: 800-676-7516

Dated: August 17, 2005  
=====

I hereby certify that Resolution No. 2005-167 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman  
NOES: COUNCIL MEMBERS – None  
ABSENT: COUNCIL MEMBERS – None  
ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

RESOLUTION NO. 2005-168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI,  
COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, INITIATING  
PROCEEDINGS FOR THE ANNEXATION OF TERRITORY INTO THE LODI  
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT  
NO. 2003-1 AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR  
CERTAIN ZONES, FOR FISCAL YEAR 2006-07

=====

The City Council of the City of Lodi (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 (hereafter referred to as the "District"), pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lodi to pay the maintenance and services of all improvements and facilities related thereto; and

WHEREAS, the City Council desires to annex territory into the District; and, such territory receives special benefit from the improvements provided by the District; and

WHEREAS, the City Council has retained NBS for the purpose of assisting with the annexation of territory and Annual Levy of the District, and to prepare and file a report with the Clerk of the Board in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, PURSUANT TO *CHAPTER 2, SECTION 22585* OF THE ACT, AS FOLLOWS:

Section 1. Proposal: The City Council hereby proposes the annexation of certain territory into the District, as described below, and the levy and collection of assessments.

Section 2 Engineer's Report: The City Council hereby orders NBS to prepare and file with the City Clerk the Engineer's Report concerning the annexation of the territory into the District and the levy and collection of assessments for the fiscal year commencing July 1, 2006 and ending June 30, 2007, in accordance with *Chapter 1, Article 4, Section 22565* of the Act.

Section 3 Proposed improvements: The proposed improvements within the District may include, but are not limited to: masonry walls, landscaping, planting, shrubbery, trees, turf, irrigation systems, cobbles, hardscapes, and appurtenant facilities. Services provided include all necessary service, operations, administration, and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition. The Engineer's Annexation and Annual Levy Report describes all improvements.

Section 4 District designation: The proposed District is designated as: "LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1." The territory proposed to be annexed consists of the following Zones:

ZONE 8 – VINTAGE OAKS

ZONE 9 – INTERLAKE SQUARE

ZONE 10 – LAKESHORE PROPERTIES

ZONE 11 – TATE PROPERTY

ZONE 12 – WINCHESTER WOODS

Dated: August 17, 2005

=====

I hereby certify that Resolution No. 2005-168 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk